

REMARKS/ARGUMENTS

The Office Action of December 24, 2003, has been carefully considered.

It is noted that claim 16 is rejected under 35 U.S.C. §112, second paragraph.

Claims 12-14 and 19 are rejected under 35 U.S.C. §102(b) over the patent to Offenbroich.

Claim 12 is rejected under 35 U.S.C. §102(b) over the patent to Banthia et al.

Claims 15 and 16 are rejected under 35 U.S.C. §103(a) over Offenbroich in view of the patent to Kreis.

Claims 15-18 and 20-21 are rejected under 35 U.S.C. §103(a) over Banthia et al. in view of Kreis.

In view of the Examiner's rejections of the claims, Applicant has canceled claim 13 and amended claims 12 and 16.

It is respectfully submitted that claim 16 now on file particularly points out and distinctly claims the subject matter which Applicant regards as the invention. Applicant has amended claim 16 to positively recite that the side walls are parallel. In view of these considerations, it is respectfully submitted that the rejection of claim 16 under 35 U.S.C. §112, second paragraph, is overcome and should be withdrawn.

It is further respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent to Banthia et al., it can be seen that this patent discloses an extruded node. The Banthia et al. connecting element consists of a central hollow core and at least one longitudinally extending hollow flange. Claim 12, as amended, recites that the push-fit body is surrounded by the frame, i.e., the push-fit body is within the cross-section of the frame. Banthia et al., on the other hand, teach the end flange arranged outside the cross-section of the central hollow core. Thus, Banthia et al. do not disclose the invention now recited in independent claim 12.

In view of these considerations, it is respectfully submitted that the rejection of claim 12 under 35 U.S.C. §102(b) of the above-discussed reference is overcome and should be withdrawn.

The patent to Offenbroich discloses a fastening device that consists of a central frame 1 with joining members 2 that protrude from the frame in various possible directions. The joining members have recessed grooves that narrow as the grooves approach the central frame. The tubular structural parts 3 have ribs 5 that are forced onto the grooves of the joining members so that the structural parts are locked in position by the restricting frictional forces applied by the grooves. Applicant respectfully submits that Offenbroich does not disclose the presently claimed invention. In Offenbroich, the central frame is a support for the joining members and, unlike the presently claimed invention, is not used for direct connection to one of the tubular structural parts. Furthermore, the joining members of Offenbroich are solid, otherwise it would not be possible to incorporate recessed grooves therein. In the present invention, on the other hand, the push-fit body is hollow. In Offenbroich the joining member does not contain lengths of the side walls of the frame. The edges of the central frame are distinct from each joining member. Every side wall of the joining member emerges from the face of the central frame. None of the joining member side walls are flush with the side walls of the central frame. In the present invention, on the other hand, the side walls of the push-fit body are a continuation of the frame side walls (see Figure 3). Therefore, Offenbroich does not disclose a corner of a central frame as in the present invention. Claim 12 recites that a push-fit body has lengths of the frame side walls, and this is not disclosed by Offenbroich.

In view of these considerations, it is respectfully submitted that the rejection of claims 12-14 and 19 under 35 U.S.C. §102(b) over the above-discussed reference is overcome and should be withdrawn.

The patent to Kreis discloses an end part for a vehicle longitudinal beam. The Examiner combined Kreis with Offenbroich in determining that claim 15 and 16 would be unpatentable over such a combination. Applicant respectfully submits that the teachings of Kreis add nothing to the teachings of Offenbroich so as to arrive at the presently claimed invention. At the very least, the combination of references does not teach the push-fit body having lengths of the frame side walls as recited in claim 12.

In view of these considerations, it is respectfully submitted that the rejection of claims 15 and 16 under 35 U.S.C. §103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

The Examiner then combined Kreis with Banthia et al. in determining that claims 15-18 and 20-21 would be unpatentable over such a combination. Applicant respectfully submits that the combination of Kreis and Banthia et al. does not teach the features found in independent claim 12 presently on file, namely the frame surrounding the push-fit body.

In view of these considerations, it is respectfully submitted that the rejection of claims 15-18 and 20-21 under 35 U.S.C. §103(a) over a combination of the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 24, 2004:

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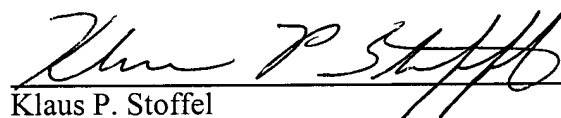
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March 24, 2004

Date of Signature

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